

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3328-01
BILL NO.: HB 2108
SUBJECT: Courts
TYPE: Original
DATE: March 14, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All</u> State Funds	(Unknown)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposed legislation would require the court to obtain and keep a defendant's address and employment information until the judgment is satisfied. There are conflicting possibilities about the impact on the courts. CTS indicated they have no data on the number of unsatisfied judgments in small claims court, but if the number is significant or there are a considerable number of cases that go on for a long time, the impact could be significant. There may be some problem in maintaining the information for a long time because, for some defendants, the stability of employment and address information may be in doubt. Because of these questions, CTS cannot provide a definite impact estimate at this time.

Oversight assumes any costs associated with the proposed legislation would be in personal service and programming changes to the state courts computer software. As a result, any costs would be the responsibility of the CTS, not the local government.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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GENERAL REVENUE

Office of the State Courts Administrator

<u>Cost</u> - Personal service and programming	(Unknown)	(Unknown)	(Unknown)
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

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DESCRIPTION

The proposed legislation requires defendants in small claims actions to notify the court of the defendant's address and place of employment if a judgment is assessed against the defendant. The defendant is also required to notify the court of any change in address or employment until the judgment is satisfied. The proposal establishes a class C misdemeanor for failing to notify the court in accordance with the proposal's provisions.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator

A handwritten signature in black ink, appearing to read "Jeanne Jarrett".

Jeanne Jarrett, CPA
Director
March 14, 2000